REMARKS

Reconsideration of this application in view of the above amendments and the remarks below is respectfully requested. Claims 33, 35-37, 39, 45 and 47 are amended. No claims have been added or cancelled by this paper. Hence, Claims 10, 11, 14-16 and 33-52 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application.

Each issue raised in the final Office Action mailed on October 31, 2006 has been addressed in Applicant's response of December 29, 2006, the entire contents of which are incorporated by this reference for all purposes as if fully set forth herein. Each additional issue raised in the Advisory Action mailed on February 13, 2007 is addressed hereinafter.

I. ISSUES RELATED TO CITED REFERENCES

A. 35 U.S.C. 102(b) - *MONTAGUE*

Claims 10, 11, 33-41 and 45-48 are rejected under 35 U.S.C. 102(b) as allegedly anticipated by Montague et al., U.S. Patent No. 5,761, 669 (hereafter "*Montague*"). The rejection is respectfully traversed.

Independent Claim 33

Independent method claim 33 recites:

> identifying first sub-entries in a first access control list, wherein the first access control list comprises **multiple first access control entries**, and wherein the first sub-entries identified from the first access control list comprise (i) disjoint entries of the first entries or (ii) overlapping sections identified from the first entries or (iii) non-overlapping sections identified from the first entries; and
>
> programmatically determining whether the first access control list is functionally equivalent to a second access control list by determining whether each of the first sub-entries in the first access control list is equivalent to or contained by one or more entries of **multiple second access control entries** in the second access control list (emphasis added).

In response to Applicant's argument (in Applicant's response dated December 29, 2006) that the reference does not show determining functional equivalency between two ACL lists,

page 2 of the Advisory Action of February 13, 2007, asserts that FIG. 11 of *Montague* shows an ACL before merging an access control request and an ACL after merging the access control request, thereby apparently analogizing the two ACLs of *Montague* (i.e., the ACL before merging and the ACL after merging the request) to the first ACL and the second ACL of Claim 33.

Page 2 of the Advisory Action further asserts that FIG. 12 of *Montague* illustrates determining equivalency between two lists. However, since FIG. 12 of *Montague* only shows a comparison between the ACL before merging an access control request and the access control request, the Advisory Action's assertion is tantamount to analogizing the access control request to an ACL of Claim 33.

These assertions are inconsistent. **An ACL** (say the second ACL) of Claim 33 cannot be **both the ACL** after merging the request **and the request** itself of *Montague* at the same time, as asserted by the Advisory Action.

Furthermore, Claim 33 is distinguishable from *Montague* in at least the following aspects under these contradictory analogies proposed by the Advisory Action.

First, even if the ACLs in *Montague* could be analogized to the first ACL and the second ACL in Claim 1, FIG. 12 merely shows that an access control request was compared with an ACL entry in an ACL. According to *Montague*, the access control request is neither the ACL prior to the request, nor the ACL after merging the request. *Montague* is silent as to whether and how the ACL list in *Montague* can be compared to itself after merging the request. Thus, even if the Office Action's assertion that the ACL before merging the access control request and the ACL after merging the access control request are analogous to the first and second ACLs of Claim 33 were true, *Montague* still fails to disclose determining functional equivalency between the two ACL lists, because the two ACL lists of *Montague*, as disclosed, are never compared.

Second, fundamentally, *Montague* is about merging a request to an ACL, while Claim 33 is about comparing two lists. As such, *Montague's* request only involves a single access control

entry that is to be modified. For example, the lists, recited in clear language in Claim 33, each comprise **multiple entries**. On the other hand, as disclosed by *Montague*, the request to be merged into the ACL pertains to at most a single access control entry. Indeed, as *Montague* at col. 15 lines 28-32 explicitly discloses, "FIG. 11 illustrates the relationship between an access control request 254 that is created by a trustee at a workstation 250 to modify the permissions for an entity, producing **an appropriate ACE** in an ACL 256, which is maintained on a server 252" (emphasis added). Thus, even if the Advisory Action's assertion that the access control request in *Montague* can be analogized to an ACL of Claim 33 is true, the access control request of *Montague*, based on the plain disclosure of the reference, only involves a single access control entry, which is not the same as a list that comprises multiple entries as featured in Claim 33.

Claims 36, 37 and 45

Claims 36, 37 and 45 are independent claims that are similar in scope and include all features of method claim 33. Claims 36, 37 and 45 are patentable over *Montague* for at least the same reasons as those given above in connection with claim 33.

Claims 10, 11, 34-41 and 46-48

Claims 10, 11, 34-41 and 46-48 depend from, and hence, incorporate all of the features of claim 33, 36, 37 or 45 that are discussed above. These claims also recite further features that independently render them patentable over *Montague*. However, because *Montague* lacks the features discussed above for claims 33, 36, 37, or 45, claims 10, 11, 34-41 and 46-48 necessarily are patentable over *Montague* for at least the reasons given above in connection with claim 33, 36, 37 or 45.

B. 35 U.S.C. 103(a) – *MONTAGUE* and *BRAWN*

Claims 14, 42 and 50 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Montague* as applied to claims 33, 36, 37 and 45 and further in view of Brawn et al., U.S. Patent No. 7,020,718 B2 (hereafter "*Brawn*"). The rejection is respectfully traversed.

Claims 14, 42 and 50 depend from, and hence, incorporate all of the features of claim 33, 36, 37 or 45. Claims 14, 42 and 50 also recite further features that independently render them patentable over *Montague*. *Brawn* fails to disclose any of the features of claim 33, 36, 37 or 45 previously discussed and therefore *Brown* does not cure the deficiencies of *Montague* that are described above, and any combination of *Brown* and *Montague* necessarily cannot provide the complete subject matter of claims 14, 42, and 50. Claims 14, 42, and 50 are patentable over *Montague* and *Brawn* for at least the reasons given above in connection with claim 33, 36, 37 or 45.

C. 35 U.S.C. 103(a) – *MONTAGUE* and *MATE*

Claims 15, 43 and 51 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Montague as applied to claims 33, 36, 37 and 45, and further in view of Mate et al., U.S. Patent No. 7,028,098 B2 (hereafter "*Mate*"). The rejection is respectfully traversed.

Claims 15, 43 and 51 depend from and incorporate all of the features of claim 33, 36, 37 or 45. Claims 15, 43, and 51 also recite further features that render them patentable over *Montague*. *Mate* fails to disclose any of the features of claim 33, 36, 37 or 45 previously discussed, and therefore *Mate* does not cure the deficiencies of *Montague* that are described above, and any combination of *Mate* and *Montague* necessarily cannot provide the complete subject matter of claims 15, 43, and 51. Claims 15, 43, and 51 are patentable over *Montague* and *Mate* for at least the reasons given above in connection with claim 33, 36, 37 or 45.

C. 35 U.S.C. 103(a) – *MONTAGUE* and *BANGINWAR*

Claims 16, 44 and 52 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Montague as applied to claims 33, 36, 37 and 45, and further in view of Banginwar, U.S. Patent No. 6,611,863 B1 (hereafter "*Banginwar*"). The rejection is respectfully traversed.

Claims 16, 44 and 52 depend from, and hence, incorporate all of the features of claim 33, 36, 37 or 45. Claims 16, 44, and 52 also recite further features that render them patentable over *Montague*. *Banginwar* fails to disclose any of the features of claim 33, 36, 37 or 45 previously

discussed and therefore *Banginwar* does not cure the deficiencies of *Montague* that are described above, and any combination of *Banginwar* and *Montague* necessarily cannot provide the complete subject matter of claims 16, 44, and 52. Claims 16, 44, and 52 are patentable over *Montague* and *Banginwar* for at least the reasons given above in connection with claim 33, 36, 37 or 45.

II. CONCLUSIONS

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,
HICKMAN PALERMO TRUONG & BECKER LLP

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Zhichong Gu
Reg. No. 56,543

2055 Gateway Place, Suite 550
San Jose, California 95110-1089
Telephone No.: (408) 414-1236
Facsimile No.: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on April 20, 2007 by Martina Placid
Martina Placid